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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

CHASOM BROWN, WILLIAM BYATT,
 JEREMY DAVIS, CHRISTOPHER
 CASTILLO, and MONIQUE TRUJILLO
 individually and on behalf of all similarly
 situated,

Plaintiffs,

vs.

GOOGLE LLC,

Defendant.

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 Steven M. Shepard (admitted *pro hac vice*)
 Alexander Frawley (admitted *pro hac vice*)
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Case No.: 4:20-cv-03664-YGR-SVK

**DECLARATION OF MARK C. MAO IN
 SUPPORT OF PLAINTIFFS'
 ADMINISTRATIVE MOTION TO FILE
 SUPPLEMENT IN SUPPORT OF THEIR
 REQUEST FOR ORDER REQUIRING
 GOOGLE TO SHOW CAUSE**

The Honorable Susan van Keulen
 Courtroom 6 - 4th Floor
 Date: April 21, 2022
 Time: 10:00 a.m.

DECLARATION OF MARK C. MAO

I, Mark C. Mao, declare as follows.

1. I am a partner with the law firm of Boies Schiller Flexner LLP, counsel for Plaintiffs in this matter. I am an attorney at law duly licensed to practice before all courts of the State of California. I have personal knowledge of the matters set forth herein and am competent to testify.

2. I submit this Declaration in support of Plaintiffs' Administrative Motion to File Supplement in Support of Their Motion for Order Requiring Google to Show Cause Why It Should Not Be Sanctioned for Discovery Misconduct. (Dkt. 430).

3. On February 26, 2022, Plaintiffs filed their Motion for an Order to Show Cause Why Google Should Not Be Sanctioned (Dkt. 430, the "Sanctions Motion").

4. Since filing the Sanctions Motion, Plaintiffs have uncovered additional evidence of Google withholding relevant discovery [REDACTED]

5. While Plaintiffs' Sanctions Motion focused on Google's concealment of a [REDACTED], Plaintiffs have since discovered that Google also concealed [REDACTED]

6. [REDACTED]

[REDACTED] A true and correct copy of this document is attached hereto as **Exhibit 1**.

7. [REDACTED]

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[REDACTED]

[REDACTED]

8. Pursuant to the Court’s November 12, 2021 Order on discovery (Dkt. 331), Google was required to identify all relevant log sources that could contain Plaintiffs’ data and information. Google then provided a declaration from Andre Golueke (a Discovery Manager in Google’s Legal Department) confirming that Google had identified all relevant data sources, listed in Exhibit A to that declaration (Dkt. 338).

9. Following the filing of the Sanctions Motions, Plaintiffs continued meeting and conferring with Google, both with and without the supervision of the Special Master. During those meet and confer discussions, [REDACTED]

10. [REDACTED]

11. [REDACTED]

12. On March 10, 2022, Plaintiffs deposed Dr. Sadowski.

13. During her testimony, Dr. Sadowski [REDACTED] which was marked as Exhibit 2 for that deposition. A true and correct copy of that document is attached hereto as **Exhibit 2.**

14. [REDACTED] *See*
Exhibit 2.

15. [REDACTED]

16. [REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED] **Exhibit 3**, Sadowski Tr. 79:19-80:9.

17. [REDACTED]

[REDACTED]

18. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

19. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

20. [REDACTED]

[REDACTED]

[REDACTED]

21. [REDACTED]

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22. [REDACTED]

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[REDACTED]

1 23. [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 24. [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 25. [REDACTED]
8 [REDACTED]
9 [REDACTED] See **Exhibit 4** (excerpts from Liu transcript).
10 26. [REDACTED]
11 [REDACTED] **Exhibit 4**, Liu Tr. 19:24-
12 20:8. [REDACTED]
13 [REDACTED] **Exhibit 4**, Liu Tr. 41:23-42:12.
14 27. [REDACTED]
15 [REDACTED] **Exhibit 3**, Sadowski Tr.
16 91:2-8.
17 28. [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 29. [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 30. [REDACTED]
25 [REDACTED]
26 [REDACTED]
27 [REDACTED]
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/s/ *Mark C. Mao*